United Nations A/60/70

General Assembly

Distr.: General
1 April 2005

Original: English

Sixtieth session
Item 123 of the preliminary list*
Review of the efficiency of the administrative and financial functioning of the United Nations

Progress and impact assessment of management improvement measures

Report of the Secretary-General

Summary

The present report has been prepared in compliance with General Assembly resolution 54/236 of 23 December 1999, in which the Assembly endorsed the recommendation of the Committee for Programme and Coordination that a progress report on the review of the efficiency of the administrative and financial functioning of the United Nations be submitted biennially to the Assembly. The report provides a systematic account of progress and impact achieved by management improvement measures and the obstacles encountered in that effort.

The report reviews management improvement measures across the United Nations global Secretariat. The analysis draws on the second round of quantitative data from the Organization's online tool for tracking management reforms, the Progress and Impact Reporting System. In accordance with the requests of the Committee for Programme and Coordination[a] regarding the last report of the Secretary-General (A/58/70), the present report incorporates enhanced methods further advancing the quantitative assessment of impact.

[a] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 16* (A/58/16).

* A/60/50 and Corr.1.

05-29503 (E) 270405

I. Introduction

A. Evolution of progress and impact reporting

1. The present report assesses the progress and impact of management improvement measures within administrative and financial management and augments the quantitative focus that began with its predecessor, A/58/70. Its expanded coverage and enhanced methodology respond to the debate on A/58/70, but retain the merits of that report's approach, which was based on facts, was organized by reform and impact themes to show the composition of the Secretariat-wide effort and was designed to provide semi-quantitative analysis of rates of progress and types of obstacles encountered in the implementation of the improvement measures.

2. A/58/70 itself was considered an advance, and the Committee for Programme and Coordination took note of it with appreciation;[1] however, in the discussions of the Committee, as documented in its report,[2] further enhancement and expansion of the reporting were called for. The Committee's requests for enhancement focused on reporting on impact in more quantitative, including monetized, terms. The data-collection process underlying A/58/70 had addressed impact by asking the reporting offices to categorize measures as having their principal impact on efficiency, capacity-building, knowledge enhancement or culture change. The Committee accepted this analysis as meaningful; accordingly, such qualitative data will continue to be captured and discussed in the present report to show strategic patterns in reform activity, but the Committee indicated a desire for quantitative measures that can be aggregated to allow more objective assessment.

3. An expansion of the reporting was also requested, so as to incorporate actions from the Secretary-General's 2002 reform agenda (see A/57/387 and Corr.1) in the sphere of administrative and financial management improvements. Accordingly, the data-collection tool was designed to also capture information on measures related to the implementation of delegation of authority and improved management of trust funds so that such information could be stored in the database and incorporated in the present analysis.

B. The new methodology

4. The present report, then, represents the response to those requests. Before the presentation of its data and interpretations, a word detailing its evolved methodology follows.

5. In the context of the present report, quantitative assessment can be defined as the assignment, comparison and arithmetical manipulation of numeric values, whether monetary, score-based, ratios and percentages or other types, to deduce some finding about the matter under consideration. The application of this notion to management improvement measures is by no means simple. Certainly, in every commitment and allocation of funds, the Organization invests time, money and intangible human energies with the expectation of a beneficial result.

6. However, given the Organization's lack of a uniform and standardized cost accounting system, it is difficult to establish, track and evaluate the costs and benefits associated with management improvement measures. Further, project

management practices within the Secretariat, including the estimating and tracking of project costs, vary greatly. Finally, not all clearly beneficial results can be reported on in monetized terms.

7. Representatives of Secretariat offices that had previously reported on progress and impact confirmed that it was feasible to collect impact-assessment data as required for the United Nations Progress and Impact Reporting System (PIRS) by utilizing existing information sources, including electronic data. They maintained, however, that for such impact reporting to be sound and effective, the Organization must build capacity in such areas as cost-benefit analysis and cost accounting through the introduction of new policies, tools and staff training. They also expressed strong concern about the current practice of entering the same or similar information into multiple reporting systems, which creates an unreasonable burden on managers. These representatives urged the owners of the various systems to collaborate on the development of an integrated data architecture that would provide a single source for management reporting.

C. Finding the right framework for analysis

8. Given these conditions and constraints, research within the United Nations system and throughout the wider world of public management analysis was undertaken, in a search for methods of analysis that would be both conceptually sound and feasible to conduct within the Secretariat at this point in its organizational development. The creation of the enhanced PIRS analytical framework drew on a wide-ranging set of sources,[3] and was focused principally on the following areas:

(a) Public and non-profit performance measurement, including "balanced scorecard" methods;

(b) Public sector management reform;

(c) Cost-benefit analysis;

(d) Cost accounting;

(e) Operations management.

9. A result of this review of possibilities was the finding that the United Nations management environment did not lend itself to the application of a "cookie-cutter" assessment template, borrowed in toto from outside sources, but rather that an approach needed to be constructed that aligned with the Organization's realities and needs. Ultimately, five methodological elements were combined into a framework customized to report the impact of management improvement measures. This balanced framework incorporates the following elements:

(a) *Time saved* — reductions in the time that clients would otherwise have to wait for services important to their programme success;

(b) *Quality improved* — survey results that document improved client satisfaction with the quality of service delivery or transaction efficiency;

(c) *Value created* — new capacities or options provided as a measurable by-product of an improvement;

(d) *Cost reduced* — the same output for less cost;

(e) On the cost side, the *investment cost* of management improvements.

10. Of course, all management improvements will have associated costs; however, as the report will demonstrate, the applicability of the first four (beneficial) impact elements above to a given management improvement measure will vary according to the type of improvement and the data associated with its impact. For example, an efficiency improvement in service delivery might save wait time (measured in business days) for its clients, but not show a reduction in cost from the prior practice; in addition, there may not have been a quality survey that can be cited during the reporting period to show a documented reaction from the client. The analysis uses the data that are available and applicable. In other words, the fit between the impact framework and a given improvement will determine whether one, two or more of the elements will be applied, and this underlying method will be reflected when the data are summarized across reform areas.

D. Organization of the report

11. The present report is divided into five sections. The introduction provides background on the evolution of the reporting and the methodology used to gather and analyse information on management improvement measures. Section II reviews the entire set of management improvement measures collected by the PIRS reporting tool and provides a strategic view of their distribution among the reform areas, and their means of attaining reform by type of management improvement.[4] Section III focuses on progress towards the mainstreaming of management improvements, the obstacles that are impeding progress and the impact of the improvements as offices report them in qualitative terms. (Sections II and III employ analysis similar to that of A/58/70.) Section IV reflects the enhanced methodology, for the first time assessing impact in fully quantitative terms. Throughout sections II through IV, examples of actual reform projects will be cited to make the discussion less abstract. The concluding section V addresses the overall story of reform as suggested by these data and provides observations as to how this type of results reporting could be strengthened even more.

II. Overview of measures by reform areas

A. Measures reported for 2004

12. For the 2004 reporting period, offices and departments across the Organization reported 74 management improvement measures, comprising 54 from New York Headquarters and 20 from offices away from Headquarters. The measures, systematically collected and assessed, provide a portrait of United Nations managers contributing in 2004 to a continuous effort to improve financial and administrative management. Initiatives documented in reporting in 2001, 2003 and now 2005 indicate clearly that reform thinking and improvement methodologies have taken root in the Secretariat's management culture.

13. In the present report, the measures will be presented and discussed in two layers. In submitting the data to the Department of Management,[5] not all reporting

offices were able to satisfy the data requirements of the enhanced analysis. Accordingly, the discussion will take up two layers of data — first, the set of 74 measures that are represented by data identical to that of A/58/70 and, secondly, a subset of 38 within that larger group that provided fuller data that supports the enhanced analysis of impact. This differentiation is a by-product of the rigorous approach applied to the quality, completeness and verifiability of the information.

14. Overall, the management improvement measures reflect seven reform areas originating from the Secretary-General's programme for reform.[6]

15. Progress within the reform areas is analysed from two different perspectives and will be discussed in two groups. The first includes functional (or substantive) areas, which reflect the "what" of a measure. These areas comprise:

(a) Creating an electronic United Nations;

(b) Building an expanded and enhanced common services platform;

(c) Strengthening human resources;

(d) Enhancing financial management and introducing results-based budgeting.[7]

16. The second group comprises types of management improvements, also referred to as cross-cutting areas, which focus on the "how" or "means by which" of a measure. As suggested by the label, they are independent of function and can apply to any functions or offices across the Organization:

(a) Promoting delegation and accountability;

(b) Increasing productivity;

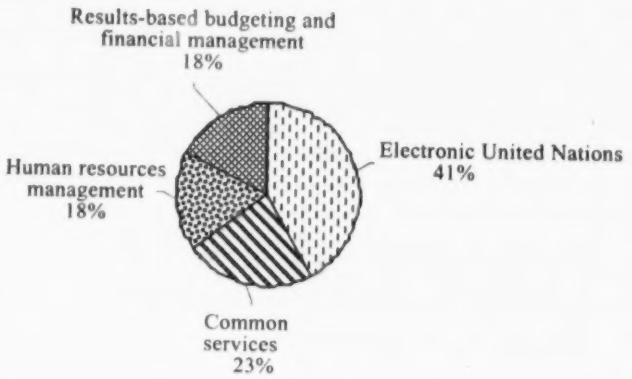
(c) Simplifying processes and rules.

17. The functional and the type-of-management improvement groups provide different perspectives on the improvement measures. Because they view the measures through two distinct lenses, the associated analysis will comprise a kind of "double-counting". For example, an initiative at United Nations Headquarters for the development and deployment of a Web-based United Nations procurement marketplace falls under the common services functional area and represents "simplified processes and rules" as a type of management improvement.

B. Strategic view of the data

18. Of the set of 74, measures dedicated to realizing the vision of an electronic United Nations comprise the largest group (41 per cent in 2004, as shown in figure 1); this reflects the pursuit of technological opportunities for sharing knowledge and exploiting the use of the Web. Other major areas are fairly evenly balanced, with a slight edge to the building of expanded and enhanced common services.

Figure 1
Measures by functional reform area

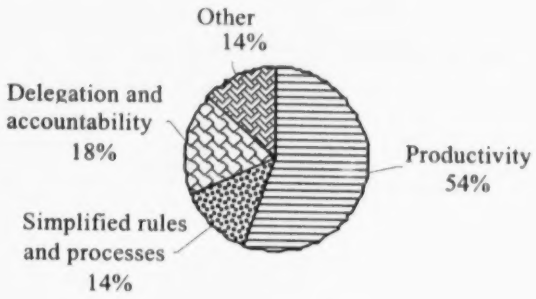

Results-based budgeting and financial management 18%
Electronic United Nations 41%
Human resources management 18%
Common services 23%

19. The emphasis on an electronic United Nations sustains the effect of the intense legislative focus by Member States on leveraging information and communication technology (see resolutions 54/249 and 56/239). In common services, previously reported initiatives fostered by the Task Force on Common Services at Headquarters in 2001 and 2002 set the example, influencing more recent efforts at the United Nations Office at Nairobi, the Economic and Social Commission for Western Asia (ESCWA) and elsewhere. A detailed and complete look at the range of measures being implemented within each reform area is provided in the annex.

20. In general, the trend in the 2004 data shows diffusion of initiative, with line departments such as the Department of Public Information and the Department for Disarmament Affairs reporting for the first time, and clusters of innovative activities emerging from the United Nations Office at Nairobi, the United Nations Office at Geneva, the Economic and Social Commission for Asia and the Pacific (ESCAP) and ESCWA.

21. Analysis of the types of management improvement provides insight into the ways in which management improvement measures achieve results across offices and functions. Over half of the 2004 measures are focused on productivity (see figure 2).

Figure 2
Measures by type of management improvement



22. This finding shows the Secretariat's continued response to the Member States' demand that it "do more with less". Productivity methods are being promoted through the Department of Management's Productivity Handbook, and offices' productivity innovations are recognized through the UN 21 awards programme.

III. Rate of progress

23. The Secretary-General's report A/58/70 provided information on progress in management improvement measures such that the intergovernmental bodies could assess the overall rate of advancement in implementing measures by reviewing their information using two methods, one focusing on steps towards mainstreaming and the other on achievement of targets. This approach continues to offer value in attaining a rounded view, and it is retained in the present report.

A. First method: steps towards mainstreaming

24. This reporting method employs the following progress steps:

(a) In progress;

(b) Completed;

(c) Completed with implementation mainstreamed;

(d) Completed with implementation mainstreamed and prior practices eliminated;

(e) Discontinued.

(Mainstreaming is assessed on the basis of the degree of completion of measures and the integration of practices that they promote into everyday work processes, displacing older ways of doing business.)

25. From this point forward in the analysis, the focus will be on the subset of 38 measures for which there are sufficient data to support the enhanced analysis of impact. Table 1 shows the distribution of progress steps.

Table 1
Progress in management improvement measures

Reform area	*In progress*	*Completed*	*Completed with implementation mainstreamed*	*Completed, implemented and prior practices eliminated*	*Discontinued*	*Total*
Electronic United Nations	11	2	1	4	—	18
Expanded and enhanced common services	5	—	—	—	—	5
Results-based budgeting and financial management	3	2	1	—	1	7
Strengthened human resources	2	—	—	2	—	4
Other[a]	4	—	—	—	—	4
						38

[a] Refers to measures such as the Office for the Coordination of Humanitarian Affairs strategic planning process, which affects all functional areas.

B. Second method: indicators and targets

26. Most offices include the setting of goals or targets in their project management. This reporting collects and tracks the targets offices set and the indicators that they chose to determine whether or not targets have been met. As promised in A/58/70, the reporting is now able to summarize the actual rates of achievement in meeting targets across the reported measures, as shown in table 2.

Table 2
Success in meeting set targets, 2004 measures

	Was the target achieved?				
Reform area	*Yes*	*No*	*Does not apply*	*No response*	*Subtotal*
Electronic United Nations	12	2	2	2	18
Expanded and enhanced common services	4		1		5
Results-based budgeting and financial management	5		2		7
Strengthened human resources	1		1		2
Other	2		1	3	6
Total	**24**	**2**	**7**	**5**	**38**

27. A large majority of projects reported that they had achieved their targets. Instances of "does not apply" refer to measures begun late in the reporting period for which the offices have defined indicators but cannot yet give an answer regarding a target being met or unmet.

C. Obstacles

28. Reporting offices categorized obstacles that they encountered in implementing management improvement activities as one of the five following types:

(a) *Lack of cooperation of other offices and/or organizations*: dependence of a measure's success on offices outside the sponsoring office's formal authority;

(b) *Limited human/financial resources*: such constraints can occur when funding or staff are lacking or when their allocation or continuity is unpredictable;

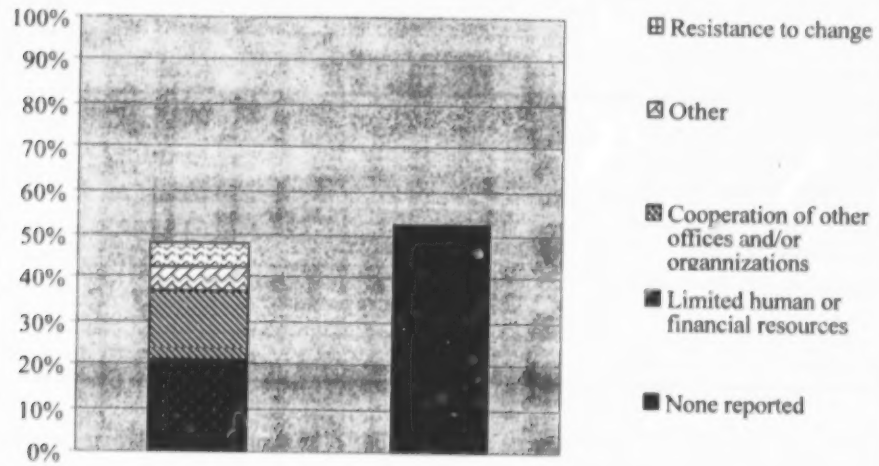
(c) *Resistance to change*: reluctance of managers and/or staff to implement measures;

(d) *Structural impediments*: obstacles arising from incompatibilities between management improvement measures and traditional structures or procedures (none reported);

(e) *Protection of areas of responsibility*: institutional resistance by offices whose functions may be shifted elsewhere or discontinued as a result of reform activities (none reported).

29. Over half the offices (53 per cent) reported no obstacles in the progress of implementing measures (see figure 3).

Figure 3
Types of obstacle and absence of obstacles



30. This suggests significant cooperation among offices, better resource management and improved acceptance of change. Overall, the most predominant obstacle affecting the progress of management improvements measures in this reporting was limited resources, followed closely by difficulties in attaining cooperation among offices.

D. Categories of impact

31. The effective strategic management of large organizations requires an orchestrated approach to driving change. Management reporting should provide insight as to whether or not the reform programme is proceeding in an even-handed and coherent manner. Our approach, carried forward from the previous reporting, requires that reporting offices classify the impact of their management improvements activities in the following four categories:

(a) *Capacity-building*: the measure strengthens the Organization's capabilities to deliver new types of services and/or higher quality for existing services;

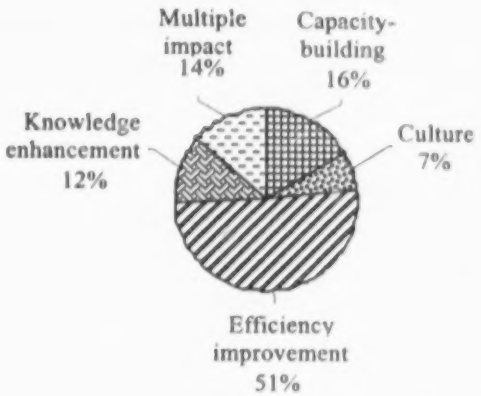
(b) *Culture change*: the measure changes attitudes and promotes innovative ways of accomplishing mandated objectives;

(c) *Efficiency improvement*: the practices introduced by the measure achieve results more quickly or are more cost-effective;

(d) *Knowledge enhancement*: the measure generates and/or shares information to support better decision-making, or new skills to make staff more effective.

32. As illustrated in figure 4, efficiency improvement was the most common area in which management improvement measures exerted their impact, reflecting the Organization's continued efforts to deliver more value to its clients in a timely way.

Figure 4
Measures by type of impact



33. The percentage breakdown closely mirrors that of the 2002 data presented in the previous report (A/58/70). One difference is that in 2004 all of the measures to effect culture change were reported from offices away from New York, whereas in 2002 most of the culture change-focused efforts were contributed by the Office of Human Resources Management. This again demonstrates the propagation of common management concerns in a community of practice throughout the global Secretariat.

34. The next section introduces the enhanced reporting based on quantification of impact, which takes up the reported measures in an analytical framework composed of the following elements: client wait-time savings, quality survey ratings, value created, cost reduced and investment cost.

IV. Impact analysis

A. Impact element 1: wait-time savings

Discussion

35. The United Nations Secretariat can be viewed as a network of interdependent client-service provider relationships. A key target of management improvement measures is a reduction in the time that clients must wait to receive a service, such as staff recruitment or software procurement, that is required for them to go forward successfully with their programme activities.

36. Of the 38 management improvement measures in this analysis, 4 reported savings in the turnaround time required to complete processes or provide services

requested by clients. (Only those offices that had collected data for 2004 relative to 2003 could claim impact in this manner.) Total savings reported were 13,108 business days — in other words, over 13,000 days that clients did not have to wait before moving forward with various programme activities.

37. These savings were a direct result of management improvements implemented since the previous year. Savings are claimed only in instances in which minimizing the client wait-time provided a clear benefit to the Organization, that is, when completion of the process or provision of the service was in the client's (i.e., the programme manager's) critical path to achieving programme objectives.

38. Table 3 shows the breakdown of wait-time savings by major reform areas.

Table 3
Wait-time savings, 2004

Reform area	*Office*	*Days saved*
Electronic United Nations	Department of Public Information	776
	United Nations Office at Nairobi (project A)	12 000
	United Nations Office at Nairobi (project B)	180
Results-based budgeting and financial management	Economic and Social Commission for Western Asia	152
Total		**13 108**

39. By way of example, ESCWA developed a reporting subsystem that augments and extends Integrated Management Information System functioning to satisfy its local reporting and information requirements, including such features as common services invoicing, a vendor roster and confidential medical information, and generates 160 reports. In addition to intangible benefits such as enhanced access to information and quality of data, the measure was calculated to have saved 152 business days of internal clients' time, apportioned as 30 per cent for Professional staff and 70 per cent for General Service staff.

40. In another case, the Department of Public Information News Monitoring Unit implemented a new technological approach to the process of coding and storing news bulletins and press clippings from around the world, thereby creating a searchable archive available via the Internet. As a result, the Unit was able to service triple the average number of customers per day, while reducing the annual time required to service their requests by 776 business days.

B. Impact element 2: quality survey ratings

Discussion

41. Within the Secretariat, offices responsible for administrative and financial management have made increasing use of client surveys to measure satisfaction with process efficiency and associated quality of service delivery. This trend makes it possible to incorporate quality survey results into our impact framework. In those instances in which survey questions address client satisfaction with the outcomes of management improvement measures, we can report on the ratings (positive, neutral, negative) and summarize them to provide a profile of quality attainments and shortcomings in measures linked to the reform agenda. The surveys vary in their scoring scales, but most results can be reduced and compiled to support analysis as shown in table 4.

42. Table 4 shows the breakdown of available quality survey ratings by three of four major reform areas and by reporting office in 2004.

Table 4
Quality survey ratings, 2004

Reform area	*Office reporting survey result*	*Score*		
		Positive	*Neutral*	*Negative*[a]
Electronic United Nations	Department of Public Information (+1)	2	—	2
	Office of Internal Oversight Services (-1)			
	United Nations Office at Nairobi (-1, +1)			
Results-based budgeting and financial management	Economic and Social Commission for Western Asia (+1)	3	—	—
	Department of Management (+2)			
Strengthened human resources	United Nations Office at Nairobi (-1)	1	—	1
	Department of Management (+1)			
Total		**6**	**0**	**3**

[a] Negative ratings were reported by offices together with comments that this client feedback spurred them to intensify their efforts to improve service processes.

Examples of quality survey methods and questions

43. In January of 2004, the Department of Management administered a survey on client satisfaction with its services to 384 managers throughout the global Secretariat. Respondents, who ranged from section chiefs to Under-Secretaries-General, were identified as having good knowledge of Department of Management services. The questionnaire was administered electronically, with anonymity guaranteed through the expertise and technology of an external consulting firm. In one question, the respondents were asked to rate the service function of recruiting

staff in terms of the following dimensions: (a) responsiveness to needs, (b) timeliness, (c) good quality and (d) flexibility in delivery. The ratings were favourable for (a) and (c), which are the most general and summary in implication, but were unfavourable for (b) and (d). In reporting this survey result, the reporting office (Office of Human Resources Management) viewed this as a net positive rating. Its argument was evaluated and accepted, and this survey result was entered as "+1" in table 4.

44. This example suggests that survey ratings must be used with care and that quality assurance in evaluating data collection and screening is critical.

C. Impact element 3: value creation

Discussion

45. In most cases, this impact element answers the question, "If things were done the old way, what would it cost to obtain benefits comparable to those provided by the management improvement?". Value creation can be expressed in terms of:

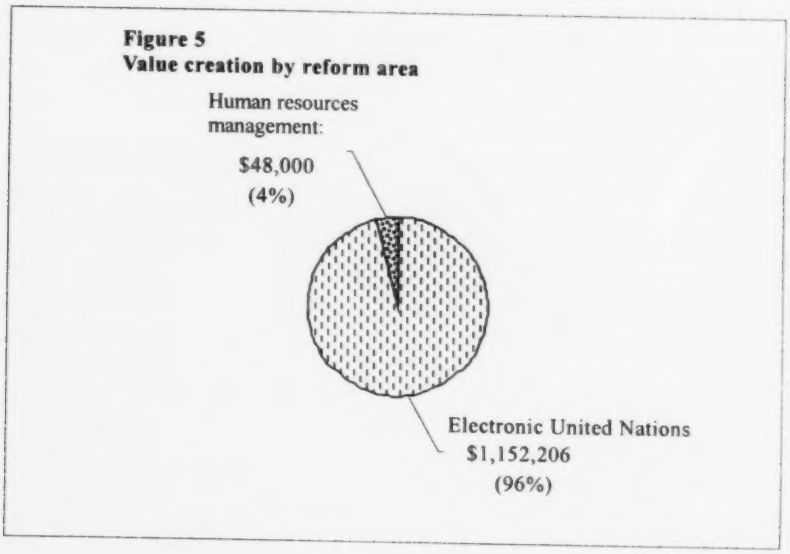
(a) Value that can be appraised on the open market. For example, if improved travel purchasing practices led hotels to offer premium business services for United Nations staff, such as the ability to hold meetings at hotel conference rooms for free, the value created would be the usual cost of renting equivalent conference rooms;

(b) Extrapolation of costs from prior practices. For example, if an information technology system has increased the productivity of health insurance enrolment processing while staff levels have remained the same, the value creation calculation would be based on the number of staff (and corresponding overhead costs) that would have been needed to achieve the same level of output using the old manual system.

46. In some cases, value can also be measured directly, such as when the Organization earns additional interest income on its financial reserves through improved financial management practices. It is important to note that value creation differs from cost reduction in that it measures the benefits generated above and beyond cuts in expenditures.

47. The total value creation recorded for United Nations management improvement activities in 2004 was $1,201,006. Most of the value created in 2004 was in the area of an electronic United Nations, as illustrated in figure 5.

Figure 5
Value creation by reform area



48. By way of actual example, the United Nations Office at Geneva created $683,200 in value through the implementation of the automated Consolidated Treasury System, which increased accuracy and speed in the processing of Treasury transactions and associated bank reconciliation control procedures. The value created reflects the fact that eight additional staff at the G-5 level would need to have been hired to achieve the same results if the previous manual system had been maintained.

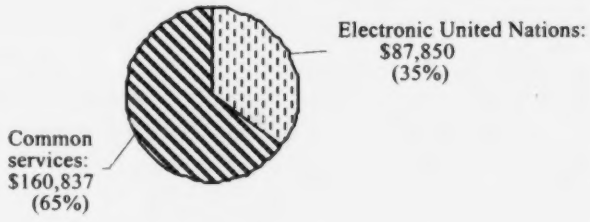
D. Impact element 4: cost reduction

Discussion

49. An important purpose of many management improvements is to re-engineer a process so that it is more resource-efficient. The cost-reduction impact element measures the costs avoided or minimized through implementation of a management improvement measure. Reductions may be achieved through changes to a work process or system so that comparable results are attained at less cost than projected or at less cost than under the previous method. The cost reduction can be one-time or recurrent. The total cost reduction achieved by United Nations management improvement activities in 2004 was $248,687.

50. The costs avoided or reduced in 2004 were in the reform areas of common services and an electronic United Nations, as illustrated in figure 6.

Figure 6
Cost reduction by reform areas



51. As an example of how costs can be reduced, the Economic Commission for Latin America and the Caribbean took advantage of existing information technology infrastructure to begin interviewing many off-site candidates for staff openings via videoconference. This eliminated travel costs, resulting in an overall reduction of annual expenditure for such interviews from $25,500 to $4,500. At the United Nations Office at Geneva, an energy-saving initiative to control consumption of electricity reduced costs by $160,837 from 2003 to 2004.

E. Impact element 5: investment cost

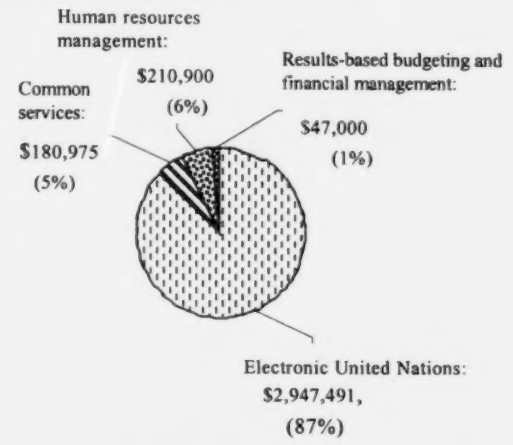
Discussion

52. Investment cost describes the resources invested in implementing management improvement measures during the reporting year. This figure is recorded using standard cost accounting methods, under which the direct costs (such as for consulting services) and the indirect costs (such as for utilization of electricity) of management improvement measures are calculated and summed up.

53. Investment cost does not represent impact in the same sense as the other elements (wait-time savings, value creation, etc.), in that it does not represent a benefit to the Organization. However, it is an essential component of the overall impact framework, as it provides an input to the calculation of net impact. In other words, it addresses a question such as, "If $50 in value was generated by this management improvement, did it cost $10 or $100 to achieve that result?".

54. The total investment in management reform measures recorded in 2004 was $3,386,366. In the 2004 data, most investment was concentrated in the area of an electronic United Nations, although other areas also show significant investment, as illustrated in figure 7.

Figure 7
Investment costs by reform areas



55. Following are two actual examples of how investment costs were calculated from the pilot exercise data:

(a) ESCAP invested $100,000 in the reporting year in establishing a results-based monitoring and evaluation system. This involved new procedures, staff training (270 staff-days) and training of trainers. Costs were primarily for consultancy fees and training;

(b) The reported investment costs to the United Nations Office at Geneva for the Consolidated Treasury System, totalling $52,000 in the reporting year, were based on the following calculations:

(i) 30 per cent of a P-3 salary for information technology maintenance = $30,000;

(ii) $15,000 in direct maintenance cost;

(iii) 10 per cent of a G-7 salary for production maintenance = $7,000.

F. Integrated analysis: comparing costs and benefits

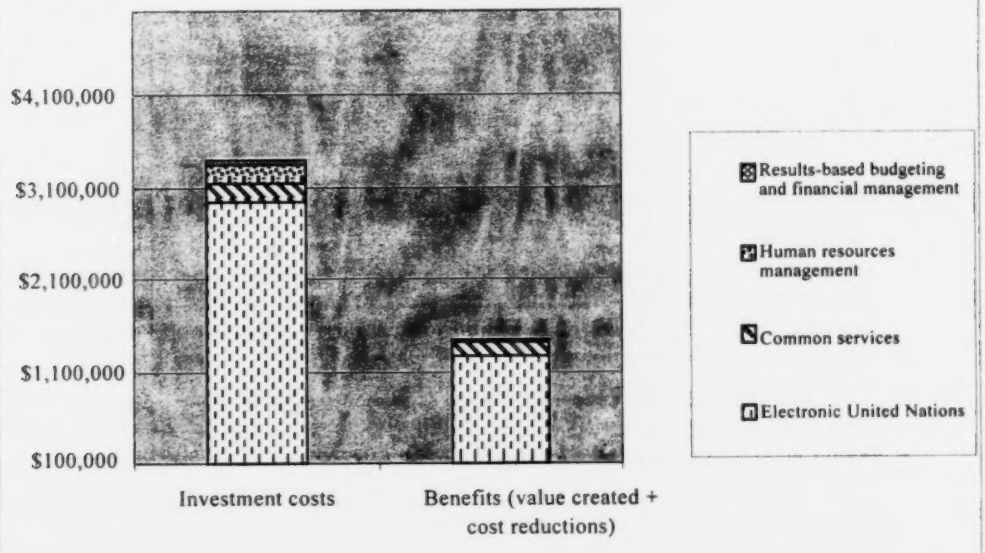
56. Because the impact framework includes both benefits and costs, it provides the potential to calculate the return on investment generated by reform measures. There are two principal factors that impede making such calculations: (a) not all elements of the framework are expressed in common units of measure (e.g., dollars) and (b) return on investment reflects total costs and benefits (expressed as present value through the application of an appropriate discount rate) over the life cycle of a project. Since costs tend to exceed benefits in the early stages of a project and the pattern usually reverses itself later on, focusing on a single year does not provide a representative picture of net benefits. Moreover, PIRS focuses by design on a single year at a time. Therefore, several reporting cycles will be required before the PIRS impact data begin to incorporate sufficient time-series information to allow for calculations of return on investment.

57. With the information currently available, it is nonetheless possible to:

(a) Sum up the figures recorded for impact elements (value created and cost reductions), expressed in dollars in order to arrive at a calculation of total benefits in dollar terms;

(b) Compare these figures side by side with investment costs to obtain a snapshot of the relationship between these elements (while bearing in mind that this does not provide a valid representation of return on investment but rather shows benefits juxtaposed with concurrent investment over one reporting year). This is illustrated in figure 8.

Figure 8
2004 investment costs versus benefits



58. Figure 8 shows that for this single reporting year, the recorded investments in the measures surveyed exceed their monetized benefits by approximately $1,936,673. Significant investment is being made in projects focused on management reform, and significant benefits are being attained.

V. Conclusion

59. The present report offers an enhanced approach to assessing the impact of management improvement measures across the Secretariat. In the body of data analysed here, the dissemination of reform efforts is notable, and their results are presented for the first time in concrete, verifiable units such as dollars and business days. A global exchange of good practices and new ideas is well under way, nurtured by face-to-face sharing, such as at the Department of Management Chief Administrative Officers' retreats institutionalized in 2004, by Secretariat-wide videoconferences, such as the Department of Management monthly Managers

Forum, and by peer competition for excellence, manifested in the submissions to the UN 21 awards programme.

60. As for the capacity of the Organization to attain an even more complete account of progress and impact through such reporting as this, there are both constraints and encouraging signs. The constraints were noted in the introductory section. The absence of a standardized cost accounting system in the Secretariat, lack of knowledge and consistency in the application of cost estimating and tracking in project management, and the burdens of entering the same or similar information into multiple reporting systems all create barriers to the provision of the data essential for impact assessment. On the positive side, expert resources for a major feasibility study on the Organization's adopting a cost accounting system are currently being procured, and this will be reported on during the sixtieth session of the General Assembly. Both classroom and online courses in project management, including cost estimation and tracking, are now being offered. The high-level business case method for advocating and justifying information technology investments before the Information and Communications Technology Board develops data that are well suited for impact reporting and inculcates managers in accepted methods of calculating return on investment.

61. The present document represents an initial effort at an entirely new type of United Nations report. As such, it comprises the first step up a steep learning curve. Future reports will aim to continually improve the methodology and to further extend the coverage of the data. The present report has analysed 74 management improvement measures active in 2004, and 38 of these in an enhanced method of assessing impact. The measures analysed here, which emerge from a basis of organizational learning and from managers' efforts to continuously improve processes, are fashioning a more efficient and productive Secretariat.

62. **In the light of the information reported here, the Committee for Programme and Coordination may wish to take note of the work in progress towards implementing the Secretary-General's reform programme.**

Notes

[1] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 16* (A/58/16), para. 30.

[2] Ibid., paras. 17-29.

[3] The sources consulted included Government and trade publications from public sector reform initiatives; publications from United Nations and United Nations agency management reform initiatives; academic references and journal articles; internal documents of the United Nations and United Nations agencies; input from United Nations Secretariat staff in impact assessment workshops; consultations with United Nations and United Nations agency staff; and consultations with delegates.

[4] Referred to as "crossing-cutting reform areas" in A/58/70.

[5] The Office for Management Improvement and Oversight Support of the Department of Management conducted the data collection and analysis.

[6] Six areas are taken directly from the original reform proposals in A/51/950, and the seventh, productivity, stems from the long-term productivity strategy adopted in February 2000 by the Steering Committee on Reform and Management.

[7] By convention, we continue to refer to "the introduction of results-based budgeting"; however, the 2004 range of activity in this area can now be more accurately characterized as "finishing the introduction and realizing the full potential of results-based budgeting".

Annex

Measures by sub-areas within the reform areas

Electronic United Nations

Sub-area	*Number of measures*
E-Services	13
Information and communication technology (ICT) budgetary processes	1
ICT infrastructure enhancement	4
ICT procurement	1
ICT security	2
ICT standards and methodology	3
Sharing the knowledge of the Secretariat internally and externally	4
Other	3
Total	**31**

Common services

Sub-area	*Number of measures*
Archives and records management	1
ICT procurement	1
Personnel services	4
Procurement	4
Transportation operations	2
Other	4
Total	**16**

Results-based budgeting and financial management

Sub-area	*Number of measures*
Analysis	4
E-services	1
Introduction of logical framework	1
Mechanisms to support implementation of results-based budgeting	5
Other	2
Total	**13**

Human resources

Sub-area	*Number of measures*
Career development	1
Competencies and continuous learning	2
Conditions of service	3
Human resources information technology strategy	1
Human resources planning	2
Mobility	1
Recruitment, placement and promotion	4
Total	**14**

United Nations A/60/71

General Assembly

Distr.: General
5 April 2005
English
Original: English/Spanish

Sixtieth session
Item 28 of the preliminary list*
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Second International Decade for the Eradication of Colonialism

Report of the Secretary-General

Summary

The present report is submitted pursuant to the request of the General Assembly that the Secretary-General report at the midpoint of the Second International Decade for the Eradication of Colonialism on action taken, as well as on suggestions and trends that emerge from the deliberations of United Nations organs and the specialized agencies on the implementation of the Plan of Action for the Second Decade adopted in 2000.

The Secretary-General points out that developments in some Territories offer the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the administering Powers a unique opportunity, which they must seize, to develop decolonization plans on a case-by-case basis with the participation of the representatives of the Non-Self-Governing Territories.

The General Assembly has repeatedly called for speeding up the process of decolonization. The midpoint of the Second Decade provides a framework for taking stock of where we stand and what needs to be done to achieve the objectives of the Plan of Action.

* A/60/50 and Corr.1.

05-29702 (E) 250405 280405

Contents

		Paragraphs	*Page*
I.	Introduction	1–4	3
II.	Actions taken during the Decade by United Nations organs	5–20	3
	A. General Assembly	5–14	3
	B. Security Council	15–16	6
	C. Economic and Social Council	17	7
	D. Trusteeship Council	18	7
	E. Secretary-General	19–20	7
III.	Action taken during the Decade by the specialized agencies	21	7
IV.	Support for the Decade by Member States	22–24	8
V.	Conclusions	25–32	8
Annex			
	Replies received from Member States		10

I. Introduction

1. On 8 December 2000, at the conclusion of the first International Decade for the Eradication of Colonialism, the General Assembly adopted resolution 55/146, entitled "Second International Decade for the Eradication of Colonialism", which, inter alia, declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism and called upon Member States to redouble their efforts to implement the Plan of Action for the Second Decade. The Assembly called upon the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions of the United Nations on decolonization.

2. Paragraph 27 of the Plan of Action for the Second International Decade for the Eradication of Colonialism states that the Secretary-General should submit to the General Assembly at the midpoint of the Second Decade a report on action taken, as well as on suggestions and trends that emerge from the deliberations of United Nations organs and the specialized agencies on implementation of the Plan of Action. The replies received from United Nations bodies, specialized agencies and international institutions associated with the United Nations will be issued in a report of the President of the Economic and Social Council (E/2005/47).

3. Pursuant to the provisions contained in the above-mentioned resolution and the Plan of Action, the Secretary-General submits the present report on action taken to implement the decolonization process.

4. The Plan of Action contains recommendations directed to the international community, the administering Powers, the specialized agencies, programmes and intergovernmental bodies, in particular the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

II. Actions taken during the Decade by United Nations organs

A. General Assembly

5. During the period under review, the General Assembly has annually considered directly in plenary meetings or in the Fourth Committee a number of questions relating to decolonization and has adopted resolutions and decisions on them. The Assembly has considered the following items:

(a) Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Under this item, the Assembly considers the report of the Special Committee on the Situation with regard to the Implementation of the Declaration. The Committee monitors developments in all Non-Self-Governing Territories and reports on them to the Assembly, making recommendations on each Territory — American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Gibraltar, Guam, Montserrat, New Caledonia, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands, the United States Virgin Islands and Western

Sahara — as well as on the issue of the dissemination of information on decolonization and on the issue of the military;

(b) The question of the Falkland Islands (Malvinas);

(c) Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations;

(d) Economic and other activities which affect the interests of the peoples of Non-Self-Governing Territories;

(e) Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and international institutions associated with the United Nations;

(f) Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.

6. During the period under review, the General Assembly has continued to issue directives to the Special Committee regarding its mandate. In particular, the Assembly has called on the Special Committee and the administering Powers to cooperate in preparing plans for the decolonization of specific Territories and to promote the implementation of the Plan of Action for the eradication of colonialism adopted by the General Assembly by its resolutions 56/74, 57/140 and 58/111. Most recently, by its resolution 59/136, the Assembly requested the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the first and Second International Decades for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence. The Assembly requested the Special Committee in particular to formulate specific proposals to bring about an end to colonialism and to report thereon to the Assembly at its sixtieth session. It also requested the Special Committee to finalize before the end of 2005 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of its mandate and the relevant resolutions on decolonization, including resolutions on specific Territories.[1]

7. At its fifty-ninth session, the General Assembly adopted nine other resolutions and four decisions relating to specific Territories and other decolonization items, as well as on the programme of work of the Special Committee.

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

8. In 2003, the Special Committee was enlarged from 24 to 27 members as follows: Antigua and Barbuda, the Bolivarian Republic of Venezuela, Bolivia, Chile, China, the Congo, Côte d'Ivoire, Cuba, Dominica, Ethiopia, Fiji, Grenada, India, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Papua New Guinea, the Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, the Syrian Arab Republic, Timor-Leste, Tunisia and the United Republic of Tanzania.

9. As the policymaking organ of the General Assembly on decolonization, the Special Committee has been at the forefront of United Nations efforts to implement the Plan of Action for the Decade. Information on its activities may be found in the annual report of the Special Committee to the General Assembly.

10. As requested by the General Assembly, the Special Committee has carried out periodic reviews of the situation in each Territory, analysing progress made in the implementation of the Declaration. Such analysis has been based on information provided by the administering Powers pursuant to Article 73 *e* of the Charter of the United Nations and the annual working papers prepared by the Secretariat, as well as information provided by the representatives of the Non-Self-Governing Territories at hearings and regional seminars held by the Committee. On the basis of such analysis, the Special Committee has formulated recommendations to the General Assembly.

11. The Special Committee took decisions to continue to consider the question of Puerto Rico on the basis of reports prepared by the Rapporteur of the Special Committee and heard petitioners on that subject. During the period under review, the Special Committee adopted annual resolutions on the question without a vote.

12. In accordance with the Plan of Action, the Special Committee has continued to hold annual regional seminars in the Caribbean and Pacific regions alternately. The seminars have included the participation of the representatives of the peoples of the Non-Self-Governing Territories, the administering Powers, Member States, regional organizations, the specialized agencies, non-governmental organizations and experts. Four regional seminars have been held to date: Cuba (2001), Fiji (2002), Anguilla (2003) and Papua New Guinea (2004). In 2003, for the first time, the Special Committee held its Caribbean regional seminar in a Non-Self-Governing Territory. Throughout the period under review, the regional seminars have served as an effective forum for discussion of issues of concern to the Non-Self-Governing Territories and have afforded the representatives of the Non-Self-Governing Territories opportunities to present their views and recommendations to the Special Committee. The Special Committee includes its reports on the seminars to the General Assembly in its annual report on its work.

13. Pursuant to the Plan of Action, the Special Committee has continued to seek the full cooperation of the administering Powers with regard to the dispatch of visiting missions to the Territories. In 2002, a special mission of the Special Committee visited Tokelau within the framework of a work programme on self-determination for the Territory, which was developed together with the representatives of Tokelau and New Zealand. In 2003, at the invitation of Anguilla and the United Kingdom of Great Britain and Northern Ireland, the Special Committee held its regional seminar in the Territory, the first time the Special Committee had ever held such an event in a Non-Self-Governing Territory, and used the opportunity to meet with civil society representatives and disseminate information on the decolonization work of the United Nations. Throughout that period, the General Assembly reaffirmed that United Nations visiting missions are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and called upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories.

14. In compliance with the provisions of General Assembly resolutions and the objectives of the Decade, the representative of New Zealand has continued to participate in the work of the Special Committee regarding Tokelau. The representative of France has also participated in the work of the Committee during its consideration of the question of New Caledonia. The delegations of the United Kingdom of Great Britain and Northern Ireland and the United States of America have not formally participated in meetings of the Committee in recent years. However, a representative of the United Kingdom has attended the Committee's regional seminars and participated in its discussions and, in 2003, presented a paper on the Territories under its administration. Informal contacts have continued in order to explore means to improve cooperation between the Committee and the administering Powers and to develop work programmes for the decolonization of specific Territories.

B. Security Council

15. During the period under review, the Security Council continued to consider reports of the Secretary-General and adopted resolutions on the situation concerning Western Sahara. The Secretary-General's Special Envoy and, after the latter's resignation, the Special Representative of the Secretary-General continued to consult with the parties on ways to resolve the multiple problems relating to the implementation of the settlement plan. However, to date there is still no agreement between the parties on the Peace Plan for Self-Determination of the People of Western Sahara. The Secretary-General has stated that he will continue to look for opportunities to advance the goal of enabling the people of Western Sahara to exercise their right to self-determination. On 28 October 2004, the Security Council adopted resolution 1570 (2004), extending the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2005.

16. During the period under review, the Security Council has also considered the item on the situation in Timor-Leste. As previously reported (A/55/497, para. 19), in 1999 the Security Council, acting under Chapter VII of the Charter, established the United Nations Transitional Administration in East Timor (UNTAET), charged with administering the Territory and preparing it for independence. On 30 August 2001, East Timor elected an 88-member constituent assembly, tasked with writing and adopting a new constitution and establishing a framework for future elections and transition to full independence. On 22 March 2002, the Territory's first Constitution entered into force, and in April Xanana Gusmão was elected President. East Timor attained its independence on 20 May 2002. The constituent assembly was transformed into the national parliament and the new country adopted the name Timor-Leste. On 27 September 2002, it became the 191st Member State of the United Nations. The United Nations continued to support Timor-Leste after independence through the United Nations Mission of Support in East Timor, established by the Security Council on 17 May 2002 to assist Timor-Leste in developing core administrative structures, provide interim law enforcement and security and assist the country in developing its police service.

C. Economic and Social Council

17. The Economic and Social Council has considered the question of the implementation of the Declaration by the specialized agencies and other United Nations organizations annually and has adopted resolutions asking the specialized agencies to examine and review conditions in each Territory, so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories. It also urged those specialized agencies and organizations of the United Nations system that have not yet provided assistance to the Territories to do so as soon as possible. The Economic and Social Council has considered annually reports of its President on the assistance provided by those organizations to Non-Self-Governing Territories. In an ongoing effort to improve coordinated action, the President of the Economic and Social Council and the Chairman of the Special Committee have held periodic consultations to consider means to strengthen assistance to the Territories. The Chairman of the Committee participates in the Council's consideration of the relevant item yearly.

D. Trusteeship Council

18. As reported previously (A/55/497, paras. 21-22), in 1994 the Trusteeship Council concluded its consideration of the last Territory left on its agenda and adopted a resolution by which the Trusteeship Agreement for the Trust Territory of the Pacific Islands (Palau) was terminated.

E. Secretary-General

19. During the period under review, the Secretary-General has continued to exercise good offices, particularly with respect to Western Sahara. In addition, the Secretary-General has continued to promote the cause of decolonization through the work of the Departments of Political Affairs, Peacekeeping Operations (responsible for the United Nations presence in Western Sahara), General Assembly Affairs and Conference Management, and Public Information. As reported in detail previously (A/55/497, paras. 30-31), the Secretariat provides substantive, technical, administrative and information services to the Special Committee in the discharge of its mandate.

20. Given the importance of disseminating information on decolonization to further the objectives of the Plan of Action, the Department of Public Information has continued to broadcast information on decolonization through all available media and to publicize the work of the United Nations in this field. A detailed account of activities in this regard is presented annually by the Department of Public Information to the Special Committee, which in turn reports to the General Assembly on this matter.

III. Action taken during the Decade by the specialized agencies

21. The General Assembly and the Special Committee have considered on a yearly basis the question of the implementation of the Declaration by the specialized agencies and international institutions associated with the United Nations. A yearly

report is issued on those activities by the President of the Economic and Social Council on the basis of replies received from those bodies. Those replies are to be issued in document E/2005/47.

IV. Support for the Decade by Member States

22. Sections I to IV of the Plan of Action for the Decade request specific action by Member States and particularly by the administering Powers to assist effectively the peoples of the Territories in their progress towards self-determination. In addition to the 27 members of the Special Committee, a number of Member States have participated in the work of the Special Committee as administering Powers or observers and have attended its meetings and regional seminars.

23. Some 16 Member States and 1 non-Member State have provided scholarships to students from the Territories during the period under review. The Secretariat has made those offers public in annual reports.

24. The participation and cooperation of the administering Powers in the work of the Committee has been referred to in paragraphs 13 and 14 above. Specific replies from Member States on their activities to support the Decade are reproduced in the annex to the present report.

V. Conclusions

25. The midpoint of the Decade offers an opportunity to review and assess progress made in decolonization and to define priorities for follow-up and action.

26. In its first two years, the Second Decade saw the culmination of the decolonization process of Timor-Leste (see para. 16 above). Since then, the United Nations has followed the careful and deliberate measures taken by Tokelau and New Zealand, in preparation for Tokelau's decision on its future status in the second half of 2005.

27. In the case of the Falkland Islands (Malvinas) and Gibraltar, each subject to sovereignty disputes, the Special Committee and the General Assembly has continued to urge the Governments involved to continue their negotiations in order to find a definitive solution to the issues.

28. The question of Western Sahara continues to receive consideration by the General Assembly and the Security Council and benefits from the good offices of the Secretary-General with the parties concerned (see para. 15).

29. However, the task of eradicating colonialism remains an unfinished process and requires the sustained and determined efforts of all concerned. Many of the Territories are small islands located mostly in the Caribbean and Pacific regions. The Assembly has reiterated its conviction that territorial size, geographical isolation or limited resources should not affect the inalienable right of the peoples of those Territories to self-determination and has also emphasized that it is the responsibility of the administering Powers to create conditions in those Territories that would enable their peoples to exercise freely and without interference that inalienable right.

30. During the period under review, some specialized agencies and regional commissions have continued to facilitate the participation of many Non-Self-Governing Territories in their bodies as observers or associate members, enabling them to become eligible also to participate in world conferences on economic and social issues, a development that has been welcomed in General Assembly resolutions on the subject.

31. Also during the period under review, the Special Committee continued its efforts to strengthen consultation mechanisms and dialogue with the administering Powers. Developments in some Territories offer the Committee and administering Powers a unique opportunity to develop decolonization plans on a case-by-case basis, with the participation of the representatives of the Non-Self-Governing Territories. It is an opportunity that the parties concerned must seize in order to accelerate the decolonization process and ensure the implementation of United Nations resolutions on the subject.

32. The General Assembly has repeatedly called for speeding up the process of decolonization. The midpoint of the Second Decade provides a framework for taking stock of where we stand and what needs to be done to achieve the objectives of the Plan of Action

Notes

[1] See General Assembly resolution 54/91.

Annex

Replies received from Member States

New Zealand

[Original: English]
[3 January 2005]

1. New Zealand is the administering Power of Tokelau and, as such, supports the Second International Decade for the Eradication of Colonialism. Information on New Zealand's activities in this regard has been submitted annually to the United Nations from the beginning of the Decade, consistent with New Zealand's obligations under Article 73 *e* of the Charter of the United Nations.

2. We set out below major developments on the situation in Tokelau. Significant progress has been made along the path to self-determination for Tokelau, particularly in the past two years. For additional information, readers should refer to New Zealand's annual reports to the United Nations.

3. In 2002, the Special Committee on Decolonization sent another fact-finding mission — its fifth since 1976 — to Tokelau. At the Special Committee's regional seminar in Papua New Guinea in 2004, special attention was paid to Tokelau's progression along the path to self-determination.

4. In November 2003, Tokelau and New Zealand signed an important document, known as the Joint Statement on the Principles of Partnership between Tokelau and New Zealand, in the presence of New Zealand's Governor-General. This document sets out in writing, for the first time, the rights and obligations of both partner countries and provides a solid platform for Tokelau's further constitutional and political development.

5. In October 2003, Tokelau's General Fono unanimously agreed to formally explore with New Zealand the option of self-government in free association with New Zealand. When she visited Tokelau in August 2004, New Zealand's Prime Minister welcomed that decision and assured Tokelau of New Zealand's ongoing friendship and support as it moved towards that new status. That assurance was repeated during a visit to New Zealand by Tokelau's Council for Ongoing Government in November 2004. During that visit, the Council met with Tokelauan communities throughout New Zealand to discuss Tokelau's current moves towards self-determination. Work is now under way on the elaboration of a set of formal arrangements that would underpin a future status of self-government in free association with New Zealand.

6. At its November 2003 session the General Fono took a number of important decisions on elements of Tokelau's future Constitution, including the role and functioning of the General Fono and the observance of international human rights covenants. Further decisions on important legislative and constitutional matters were taken at the General Fono's October 2004 session, in the presence of the Chairman of the Special Committee on Decolonization.

7. In June 2004 the Administrator formally delegated his powers to the three Village Councils of Tokelau, which in turn sub-delegated to the General Fono responsibility in specified areas that need to be handled at the national level. That

arrangement puts the three villages squarely at the heart of Tokelau's system of government and reaffirms the *pule*, or traditional authority, of the three Village Councils. This represents realization of the concept known as the Modern House of Tokelau.

8. Tokelau's public services are being restructured, following the adoption of a report of a commission of inquiry in early 2004. That exercise is aimed both at improving standards in key sectors and at ensuring that each Village Council has the capacity to run its own public services. The various strands of New Zealand's administrative assistance to Tokelau have been brought together in order to provide better-coordinated support for Tokelau's public services.

9. On the economic side, in 2003 Tokelau assumed full responsibility for managing its budget in its entirety. In August 2004, Tokelau and New Zealand signed an arrangement on economic support for the next three years. That arrangement includes substantial increases in the allocations for key services such as shipping, education and health. The allocation for the 2004/05 financial year has been set at $NZ9.5 million, and increases are programmed for the next two years.

10. The Tokelau International Trust Fund was established in November 2004. The Fund provides a mechanism by which regional and international bodies and other countries can assist Tokelau to overcome the challenges of distance, smallness and lack of resources, and to move towards full self-government and its future with confidence. Contributions from New Zealand and Tokelau already stand at some $NZ7.5 million. Earlier this year the Special Committee drew the attention of the international community to the Trust Fund.

11. Tokelau has continued to play a full role in regional affairs, participating actively in a number of regional groupings, activities and organizations. Tokelau is an associate member of the United Nations Educational, Scientific and Cultural Organization and the Forum Fisheries Agency. Its presence as part of the New Zealand delegation at the 2004 Pacific Islands Forum meeting was warmly received by the Pacific community.

12. New Zealand welcomes the contribution that is being made by the United Nations Development Programme (UNDP) in particular, and the United Nations family in general, to Tokelau's development. The UNDP office in Apia, as well as its head office, have shown considerable understanding of, and sensitivity towards, Tokelau's particular circumstances and needs. Tokelau looks forward to the day when other international bodies, and indeed other members of the international community, will follow this fine example. That is not just a worthy cause in itself; it is a condition of Tokelau's taking its place with confidence among the self-governing and independent nations of the Pacific.

Saint Lucia

[Original: English]
[2 March 2005]

1. Owing to the importance of furthering the process of the attainment of full internal self-government and absolute political equality for the people of the remaining Non-Self-Governing Territories, Saint Lucia became a member of the

Special Committee of 24 in 1997 in order to contribute more directly to the self-determination process of the Non-Self-Governing Territories.

2. Accordingly, Saint Lucia participated in numerous activities in furtherance of the decolonization process during the first International Decade for the Eradication of Colonialism. Saint Lucia assumed the chairmanship of the Special Committee on Decolonization for the period 2001-2003.

3. Saint Lucia had been a consistently active participant in the general debates of the Third and Fourth Committees and in the plenary of the General Assembly on the relevant agenda items on decolonization and self-determination.

4. During the first International Decade for the Eradication of Colonialism, Saint Lucia hosted the Caribbean regional seminar to review the political, economic and social conditions in the small island Non-Self Governing Territories, in May 1999. The seminar brought together territorial government representatives, United Nations Member States, regional experts and non-governmental organizations to exchange views on the process of self-determination and to make recommendations on modalities for fostering full self-government for the remaining Territories.

5. Saint Lucia subsequently prepared and submitted to the Committee of 24 a policy paper published on 15 June 1999 entitled "Comments on the conceptual framework for the review of the constitutional and juridical status of the Non-Self-Governing Territories and on progress in the implementation of the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples".[a] The document approached the issue of self-determination from a small island developing country perspective, and emphasized the importance of maintaining the long-standing principles of complete and absolute equality as the guidelines for the international community in seeking innovative and flexible solutions to bring decolonization to a successful conclusion. The paper pointed out that the three legitimate political status options of independence, free association and integration with full political rights, as defined in the annex to General Assembly resolution 1541 (XV), have consistently been reaffirmed by the General Assembly in its resolutions as the applicable guidelines for self-determination of the Non-Self-Governing Territories, including the small island Territories, which have no less right to political equality than other Territories that were decolonized before them. The paper argued that, until the existent unequal dependency arrangements that remain inconsistent with full political equality are addressed, there will be a need for continual oversight by the United Nations.

6. The need for implementation of resolutions on decolonization was also alluded to in the "Comments on the conceptual framework" document, given the fact that the "success rate" in carrying out the prescriptions of the General Assembly during the first International Decade has not been acceptable, and that many of the solutions to achieve successful decolonization of the small island Territories lie in the implementation of the recommendations already adopted by the General Assembly. In that regard, Saint Lucia, in its statements, throughout the first and Second International Decades has consistently expressed concern for the non-implementation of General Assembly resolutions on decolonization by relevant Member States and the United Nations system itself.

7. Saint Lucia reiterates the critical importance of implementation of decolonization resolutions including the Plan of Action for the Second International

Decade for the Eradication of Colonialism. Of particular note are the annual requests in the resolutions entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", to the Special Committee to carry out actions approved by the General Assembly such as formulating specific proposals for the elimination of the remaining manifestations of colonialism and reporting thereon to the General Assembly. Reports containing such proposals, however, have been either non-existent or insufficient.

8. Also during the Decade, the General Assembly adopted resolutions specific to the political, economic and social development of the small Territories. Of particular note are repeated recommendations calling for programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in General Assembly resolution 1541 (XV). However, few political education programmes have emerged in the Territories, and recommendations on visiting missions, with a few notable exceptions, have gone largely unimplemented.

9. Because of the failure to carry out the prescriptions for a successful decolonization process contained in the Plan of Action for the Second International Decade, and in the relevant General Assembly resolutions, the United Nations machinery must concentrate its efforts on implementation of decolonization resolutions.

10. The year 2005 marks a significant benchmark in the decolonization process, with the convergence of the five-year review of the United Nations Millennium Declaration,[b] which reaffirms international commitment to decolonization, and the five-year review of the Second International Decade for the Eradication of Colonialism. It is our hope that the Secretary-General's report reviewing implementation of the Millennium Declaration, as well as his report on the implementation of decolonization resolutions over this five-year period, will provide new insights for the second half of the Second International Decade.

11. But, if insufficient implementation of those mandates over the past 15 years is any indication, new and innovative measures will have to be created and undertaken to facilitate the completion of the decolonization process, the unfinished business of the United Nations. It is the intention of Saint Lucia to work towards achieving those goals. To that end, Saint Lucia has assumed the chairmanship of the Special Committee on Decolonization in 2005.

Spain

[Original: Spanish]
[6 December 2004]

1. The current negotiating process on Gibraltar between the Governments of Spain and the United Kingdom began with the Lisbon Declaration of 10 April 1980 and continued with the Brussels Declaration of 27 November 1984, which specified that the issues of sovereignty would be discussed (the plural form "issues" refers on the one hand to the Isthmus, and on the other to the territory ceded under the Treaty of Utrecht) and agreed that cooperation in various areas would be promoted, to the benefit of both parties. It was agreed that periodic meetings would be held between

the Ministers for Foreign Affairs of the two parties. The local Gibraltarian authorities took part in this process until Joe Bossano was appointed Chief Minister in 1988; Spain has always regretted their decision to marginalize themselves.

2. As stated above, the airport of Gibraltar is located on the Isthmus, a disputed territory. In 1987, to make possible an agreement on the sharing of passenger control between a Spanish terminal and a British one, a bilateral consultation mechanism was set up for the awarding of traffic rights to third parties. The Gibraltarians, who took part in the negotiation of the agreement, subsequently opposed its implementation. To resolve a situation which was expected to be temporary, Spain and the United Kingdom agreed to include two clauses in certain European Community rules on air transport. Those clauses safeguard the two parties' respective legal positions on the dispute concerning the Isthmus and suspend the application to Gibraltar of the aforementioned rules until the agreement on the airport is implemented.

3. Spain has reiterated the need for progress in the negotiations, both on sovereignty issues and those of cooperation, pursuant to United Nations decisions and resolutions. From the date of the Brussels Declaration to 1997 inclusive, meetings of the Ministers for Foreign Affairs were held yearly. At the request of the United Kingdom, which pleaded a heavy workload because of its Presidency of the European Union, no ministerial meeting took place in 1998; nor were the meetings held in 1999 or 2000.

4. All Spanish political forces, regardless of their ideological differences or political rivalries, share the objective of Spain's claim to Gibraltar. For example, paragraph 7 of the draft law adopted on 24 February 1998 by the Foreign Affairs Committee of the Congress of Deputies reads as follows:

> "The Congress of Deputies urges the Government to reiterate its proposals to the United Kingdom concerning a period during which sovereignty could be exercised jointly by the two countries before Gibraltar is finally returned to Spain."

5. Lastly, the draft law of the Congress of Deputies, dated 3 April 2001, which firmly reiterates to the United Kingdom the need to bring an end as soon as possible to the colonial situation affecting Gibraltar, including the illegal and completely unjustified occupation by the United Kingdom of the Isthmus connecting the Rock with the rest of Spanish territory, through bilateral negotiations between Spain and the United Kingdom, pursuant to the annual decisions of the General Assembly and the decolonization doctrine of the United Kingdom.

6. On 26 July 2001, a ministerial meeting between Spain and the United Kingdom was held in London, in the framework of the Brussels Process. That meeting led to the re-launching of the Brussels Process, which had been paralysed since 1997.

7. At the end of that ministerial meeting in London, a brief press statement was published. It stated that, in the spirit of the good relations existing between the United Kingdom and Spain, both Ministers had underlined their intention and political will to overcome all their differences over Gibraltar, and to make every effort to bring their talks to a successful and speedy conclusion to the benefit of all parties involved. It was also stated that both sides had discussed their approach to the practical issues of cooperation and sovereignty.

8. Both Ministers for Foreign Affairs confirmed that Gibraltarian engagement would be an important element in carrying forward the Brussels Process, and that they would welcome the attendance of the Chief Minister of Gibraltar at future ministerial meetings. That Gibraltarian involvement has not yet taken place.

9. Following the ministerial meeting in London, many meetings were held between Spain and the United Kingdom at various levels, including those of Minister for Foreign Affairs, junior minister for European affairs, and Coordinator.

10. The Barcelona ministerial meeting held on 20 November 2001 marked a significant step forward in the negotiation of a global agreement on Gibraltar. At Barcelona, the two Ministers for Foreign Affairs confirmed their shared goal of continuing discussions on Gibraltar in an atmosphere of mutual trust and cooperation. They also stated that they were highly satisfied with the progress being made.

11. In the joint press statement published following the Barcelona ministerial meeting, the Ministers for Foreign Affairs of Spain and the United Kingdom announced that they were determined to conclude a global agreement in the near future. That agreement would deal with all important issues including those of cooperation and sovereignty.

12. They added that the two countries' shared objective was to achieve a future in which Gibraltar would enjoy greater self-government and could fully enjoy the benefits of normal coexistence with the surrounding region. The guiding principle was to build a secure, stable and prosperous future for Gibraltar, providing it with a modern and sustainable status in accordance with the two countries' membership in the North Atlantic Treaty Organization (NATO) and the European Union.

13. It was also stated that the Ministers had agreed on the need for rapid progress on key cooperation issues. They therefore requested officials in both countries to produce ideas in that regard and to report at the next ministerial meeting.

14. The joint press statement also said that the Government of Gibraltar had a significant part to play in the discussions. It was stated that the voice of Gibraltar should be heard and that the invitation to the Chief Minister of Gibraltar to take part in future ministerial meetings under the Brussels Process had been reiterated. In the joint press statement, both Ministers guaranteed that the voice of the Chief Minister would be fully respected and that he would be able to contribute fully to the discussions.

15. The last ministerial meeting held to date under the Brussels Process took place in London on 4 February 2002. At that meeting, both Ministers noted that good progress had continued in the talks on Gibraltar, in the atmosphere of friendship and understanding between Spain and the United Kingdom. They also reaffirmed the broad series of undertakings entered into at earlier ministerial meetings in London and Barcelona.

16. In the joint press statement issued at the London ministerial meeting, the Ministers for Foreign Affairs of Spain and the United Kingdom confirmed that the common goal remained the conclusion of a global agreement covering all outstanding issues, including cooperation and sovereignty. They also stated that their shared objective was to overcome all differences on Gibraltar and guarantee a secure future for that territory, in which Gibraltar could retain its lifestyle and

traditions, enjoy greater internal self-government, achieve a sustainable improvement in its prosperity and enjoy all the benefits of harmonious and mutually beneficial cooperation in all areas adjoining the Campo de Gibraltar.

17. At the meeting in London, the Ministers reiterated the invitation to the Chief Minister of Gibraltar to take part in future ministerial meetings under the Brussels Process so that he, and through him the people of Gibraltar, could join the dialogue and make contributions for the benefit of the territory. They added that the Chief Minister was warmly invited to take part, on the basis of the "two flags, three voices" formula, with his own distinct voice as part of the United Kingdom delegation.

18. The Presidency Conclusions of the European Council (Barcelona, 15-16 March 2002) included paragraph 56 on Gibraltar:

> "The European Council welcomes the decision of the UK and Spain to relaunch the Brussels Process on Gibraltar, established in November 1984; underlines the EU's support for both Governments' commitment [...] to conclude a comprehensive agreement before the summer; and invites the Commission to explore possible ways in which the EU could underpin any agreement reached."

19. The European Parliament, in its resolution of 20 March 2002, endorsed that paragraph on Gibraltar contained in the Presidency Conclusions of the European Council.

20. Following the ministerial meeting held in London on 4 February 2002, other working meetings were held between the Minister for Foreign Affairs of Spain, Mr. Josep Piqué, and the Secretary of State for Foreign and Commonwealth Affairs, Mr. Jack Straw. Those meetings were as follows:

(a) Working meeting in Valencia, 23 April 2002.

(b) Working lunch in London, 15 May 2002, after which the following joint press statement was published:

> "We met today to continue our discussions on Gibraltar in a friendly and constructive atmosphere. We have made good progress since July 2001 and remain committed to reaching agreement by the summer. At the same time we both acknowledge that there are real difficulties which remain to be resolved. We have agreed to convene a further formal Brussels Process meeting in late June or early July."

(c) Working dinner in London, 26 June 2002. The joint press statement published after that meeting read as follows:

> "We have held an informal meeting this evening to continue our discussions on Gibraltar. It was, once again, a friendly and constructive exchange of views. We have made good progress since talks were restarted last year. The two Governments have reached a considerable degree of consensus. Both sides underlined their belief that it is sensible and right and in the interests of Britain, Spain and the people of Gibraltar to make this effort to resolve the dispute. We agreed to hold a formal meeting under the Brussels Process, on Friday July 12, in Madrid."

21. The fifteenth Brussels Process ministerial meeting between the Governments of Spain and the United Kingdom had been scheduled for 12 July 2002 in London, but the Spanish Government reshuffle caused the cancellation of that meeting. However, on that same date the Secretary of State for Foreign and Commonwealth Affairs spoke on the subject of Gibraltar in the House of Commons, saying that Spain and the United Kingdom should share sovereignty over Gibraltar.

22. From the summer of 2002 to the formation of the new Spanish Government in the spring of 2004, no ministerial meeting under the Brussels Process was held. The Gibraltar question was not again discussed in depth at the ministerial level until the meeting between the Minister for Foreign Affairs and Cooperation, Mr. Miguel Ángel Moratinos and Secretary of State for Foreign and Commonwealth Affairs, Mr. Jack Straw, held in Madrid on 27 October 2004. After that meeting, the following joint press statement on Gibraltar was published:

> "The Ministers for Foreign Affairs of Spain and the United Kingdom, Miguel Ángel Moratinos and Jack Straw, met in Madrid on 27 October 2004. During their meeting they discussed Gibraltar.
>
> The Ministers have agreed to consider and consult further on how to establish a new forum for dialogue on Gibraltar, with an open agenda, in which Gibraltar would have its own voice. The modalities for this dialogue will be agreed by all the concerned parties.
>
> Minister Straw welcomes the decision of the Spanish Government to promote local cooperation between Gibraltar and its surrounding area. Both Ministers are glad about the establishment of a Joint Committee Gibraltar Government-Mancomunidad del Campo de Gibraltar to promote the identification and implementation of mutually beneficial local cooperation projects and wish to set out their support for this initiative because of its intrinsic value and the confidence-building atmosphere that it could create.
>
> It is understood that for the Spanish government this local cooperation is within the objectives of the Spanish government in relation to the sovereignty of Gibraltar. It is also understood that the British government fully maintains its commitment to honour the wishes of the people of Gibraltar as set out in the preamble of the 1969 Constitution.
>
> In the appendix are set out several cooperation measures to facilitate the start of the work of the previously mentioned forum.
>
> **Appendix**
>
> - To explore the possibilities to reach an agreement on the airport of Gibraltar under a formula acceptable to all parties.
> - To allow the inclusion of Spanish airports as alternative airports in the flight plans whose final destination is the airport of Gibraltar.
> - To establish a technical working party to examine and to exchange information on the pensions issue of Spanish ex-workers in Gibraltar, without prejudice to any outcome in respect thereof.

- The Spanish Government shall allow calls at Spanish ports of all pleasure cruise liners having the port of Gibraltar as a previous or subsequent port of call, without any restriction."

Lastly, the document establishing the Joint Committee for Cooperation and Collaboration between Gibraltar and the Mancomunidad de Municipios de la Comarca del Campo de Gibraltar was signed on 18 November 2004 in the city of Los Barios.

Syria

[Original: English]
[10 December 2004]

1. The Syrian Arab Republic would like to reconfirm its support for the noble ideals of the United Nations as stipulated in the principles and purposes of the Charter. Syria fully endorses the concept that one of the main achievements of the United Nations so far has been its successes in the field of decolonization. Furthermore, it is our conviction that the United Nations has a valid ongoing role in the process of decolonization. Decolonization means freedom, and freedom is a basic human right. The right to self-determination is also a fundamental human right.

2. It is most regrettable that the first International Decade for the Eradication of Colonialism did not achieve the expected results. All efforts of the international community must be pooled together to make the Second Decade a full success.

3. The Plan of Action for the Second International Decade for the Eradication of Colonialism explains in detail what kind of measures should be taken at different levels. It confirms that the ultimate goal of the Second Decade should be the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples through the exercise of the right to self-determination and independence by the populations of the remaining Non-Self-Governing Territories, in accordance with all relevant resolutions and decisions of the General Assembly and the principles contained in the Declaration.

4. Syria supports that goal and calls on all the administering countries to cooperate with the Special Committee in its endeavours to implement United Nations resolutions in that regard.

5. Furthermore, the international community and the United Nations system as a whole, and other governmental and non-governmental organizations, should unite their efforts to assist effectively the peoples of the Non-Self-Governing Territories in the process towards self-determination and should actively participate in the implementation of the Plan of Action for the Second Decade. That may include the holding of consultations, as well as the continuation of negotiations that are under way. The regional seminars organized by the Special Committee provide invaluable opportunities to discuss specific issues pertaining to the Non-Self-Governing Territories and allow for informal exchanges between members of the Special Committee and representatives of the Non-Self-Governing Territories and representatives of the administering Powers on how to move the decolonization process forward. As such, the seminars should be maintained and further supported. Syria believes that the cooperation between the people of the Tokelau Islands and

the Government of New Zealand could well be emulated in many, if not all, of the remaining Territories. It is our hope that in the very near future we can remove Tokelau, and other Territories, from the list of Non-Self-Governing Territories as a result of efforts of all parties concerned.

6. We share the view that in the development of work programmes for individual Territories, the participation of representatives of the Non-Self-Governing Territories, in which there is no dispute over sovereignty, should be ensured. Moreover, we believe that any work programme should include information and education campaigns for the peoples of those Territories, as well as visiting missions of the Special Committee to ascertain the situation in those Territories first-hand. It is also necessary that the Special Committee develop a mechanism to systematically review, on an annual basis, the implementation of the specific recommendations on decolonization with a focus on implementing the mandate as contained in General Assembly resolutions and the Plan of Action for the Second International Decade for the Eradication of Colonialism.

7. Syria agrees that, during the remainder of the Second Decade, the Special Committee, the administering Powers and the Non-Self-Governing Territories should engage in constructive discussions to expedite the implementation of the goals of the Decade as contained in General Assembly resolution 55/146 of 8 December 2000.

8. Finally, Syria would like to reconfirm its commitment to all United Nations positions on decolonization. In fact, the United Nations of today reflects the Organization's success in the decolonization process. General Assembly resolution 1514 (XV) of 14 December 1960, which contains the Declaration on the Granting of Independence to Colonial Countries and Peoples, continues to be valid regarding the remaining Non-Self-Governing Territories, as it has been for the last 45 years.

Notes

[a] A/AC.109/1999/21.

[b] See General Assembly resolution 55/2.

United Nations A/60/72

General Assembly

Distr.: General
11 April 2005

Original: English

Sixtieth session
Item 134 of the preliminary list*
Administration of justice at the United Nations

Administration of justice in the Secretariat: outcome of the work of the Joint Appeals Board during 2003 and 2004; and statistics on the disposition of cases and the work of the Panel of Counsel

Report of the Secretary-General

Summary

The present report is submitted in response to the request of the General Assembly in section XI, paragraph 5, of its resolution 55/258, that the Secretary-General report to it on an annual basis on the outcome of the work of the Joint Appeals Board. In response to that request, the report of the Secretary-General on the administration of justice in the Secretariat (A/59/70) provided information on the outcome of the work of the Board for 2002 and 2003. The present report provides information on the work of all Joint Appeals Boards for 2004. For comparative purposes, the present report further contrasts the 2004 data with that from 2003. In addition, the report also provides information on the disposition of cases and the work of the Panel of Counsel for 2004, pursuant to a request by the General Assembly in its resolution 57/307.

* A/60/50 and Corr.1.

05-30418 (E) 280405

I. Introduction

1. In section XI, paragraph 5, of its resolution 55/258, the General Assembly requested the Secretary-General to report to the Assembly on an annual basis on the outcome of the work of the Joint Appeals Board. In response to that request, the report of the Secretary-General on the administration of justice in the Secretariat (A/59/70) provided information on the work of all Joint Appeals Boards for 2002 and 2003. The present report provides information and numerical data on the work of the Boards for 2004.

2. In paragraph 21 of its resolution 57/307, the General Assembly requested the Secretary-General to include statistics on the disposition of cases and information on the work of the Panel of Counsel in his annual report on the administration of justice in the Secretariat. In response to that request, the report of the Secretary-General on the administration of justice in the Secretariat (A/59/449) provided information on the disposition of cases and work of the Panel of Counsel for 2003. The present report provides such information for 2004.

II. Outcome of the work of the Joint Appeals Board

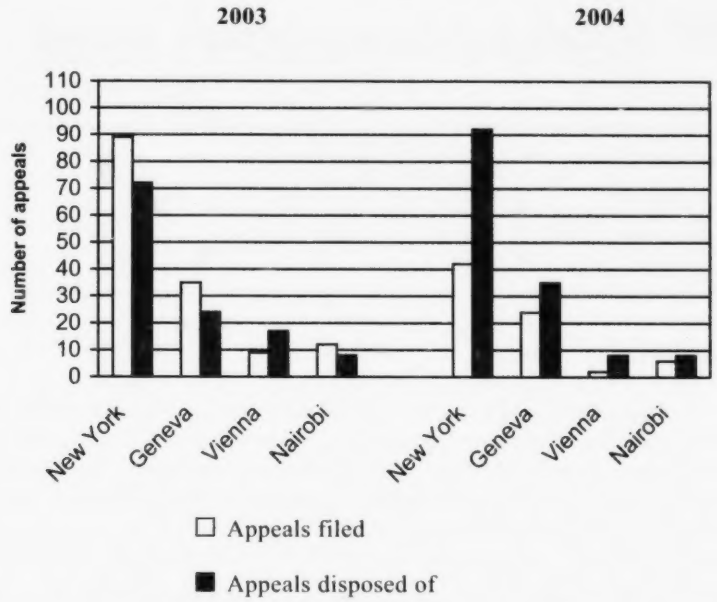
Comparison of JAB cases between 2003 and 2004

3. Table 1 below sets out information, in both numerical and graphic form, on the work of the Joint Appeals Boards in New York, Geneva, Vienna and Nairobi for 2003 and 2004 by providing the number of appeals and suspension of action cases filed and disposed of[1] during those years.

Table 1
Number of appeals and suspension-of-action cases filed and disposed of by all Joint Appeals Boards in 2003 and 2004

Standing Joint Appeals Boards	*2003*	*2004*	*Variance*	*Percentage of variance*
New York: appeals filed	89	42	-47	-53
New York: appeals disposed of	72	92	+20	+28
Geneva: appeals filed	35	24	-11	-31
Geneva: appeals disposed of	24	35	+11	+46
Vienna: appeals filed	9	2	-7	-78
Vienna: appeals disposed of	17	8	-9	+53
Nairobi: appeals filed	12	6	-6	-50
Nairobi: appeals disposed of	8	8	—	No change

[1] The term "disposed of" refers to appeals with respect to which the Board has completed its involvement. The figures may include appeals that, though filed during a previous year, were disposed of in subsequent years owing to an existing backlog. This explains why the number of appeals disposed of is at times higher than the number of appeals filed.



4. As can be seen from the figures presented in table 1, there was a noticeable decrease in the number of appeals filed with the Joint Appeals Boards during 2004: 47 fewer appeals were filed with the New York Board (a decrease of 53 per cent); 11 fewer appeals were filed with the Geneva Board (a decrease of 31 per cent); 7 fewer appeals with the Vienna Board (a decrease of 78 per cent); and 6 fewer appeals with the Nairobi Board (a decrease of 50 per cent).

5. Another difference between the two periods concerns the number of cases disposed of by the Joint Appeals Boards during 2004: the New York Board disposed of 28 per cent more cases; the Geneva Board of 46 per cent more cases; there was no change for the Nairobi Board; and a decrease of 53 per cent in the number of cases disposed of by the Vienna Board.

Pending appeals

6. Table 2 below shows the number of pending appeals and disciplinary cases at the end of 2004. As is shown in the table, Vienna had 2 pending appeals. The Nairobi Board had 14 pending appeals whereas the Geneva Board had 35 pending appeals and 3 pending disciplinary cases. With 69 pending appeals, the New York Board continues to have the highest number of pending appeals, although there was a noticeable decrease in its backlog from 117 cases in 2003 to 69 by the end of 2004. The New York Board also had 9 pending disciplinary cases at the end of 2004.

Table 2
Number of pending appeals and disciplinary cases by end of 2004

Standing Joint Appeals Boards	*Appeals*	*Disciplinary cases*
New York	69	9
Geneva	35	3
Vienna	2	—
Nairobi	14	—

Disciplinary cases

7. Disciplinary cases are also handled by the secretariats of the Joint Appeals Boards and are always considered on a priority basis. In 2004, the New York Joint Disciplinary Committee considered six disciplinary cases, the Geneva Committee considered four and the Nairobi Committee considered one. No cases were submitted to the Vienna Committee in 2004.

Decisions taken by the Secretary-General on Joint Appeals Board appeals

8. Table 3 provides information, in both numerical and graphic forms, on the decisions taken by the Secretary-General on reports of the Joint Appeals Board for 2003 and 2004.

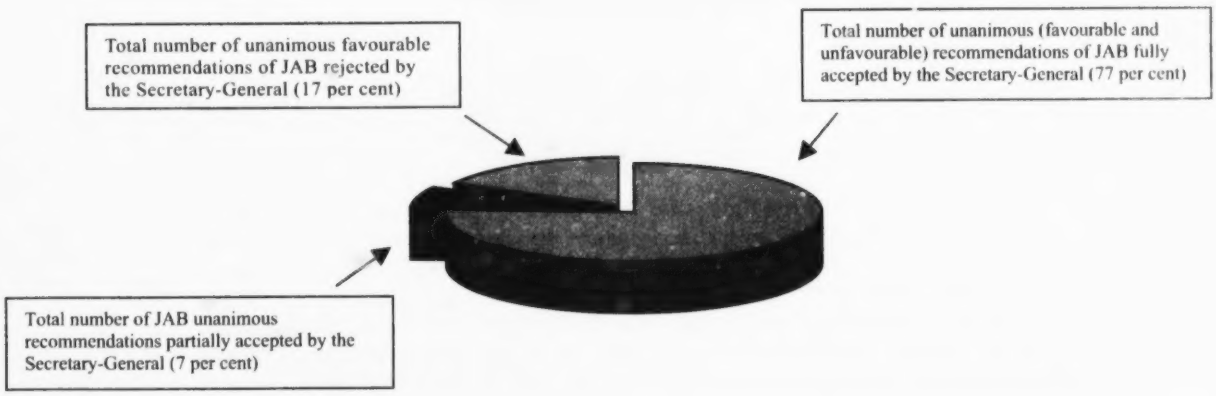
Table 3

Breakdown of decisions taken by the Secretary-General on unanimous recommendations of the Joint Appeals Board on appeals and requests for suspension of action in 2003 and 2004

2003

JAB reports from	*Total number of decisions on JAB reports*	*Total number of unanimous recommendations of JAB*	*Total number of unanimous recommendations of JAB fully accepted by the Secretary-General*	*Total number of unanimous recommendations of JAB partially accepted by the Secretary-General*	*Total number of unanimous favourable recommendations of JAB rejected by the Secretary-General*	*Total number of unanimous unfavourable recommendations of JAB*
New York	66	65	49 (75%)	6 (9%)	11 (18%)	40 (62%)
Geneva	28	27	23 (85%)	0	4 (15%)	18 (66%)
Vienna	6	6	3 (50%)	0	3 (50%)	3 (50%)
Nairobi	8	8	7 (88%)	1 (13%)	0	3 (38%)
Total	**108**	**106**	**82 (77%)**	**7 (7%)**	**18 (17%)**	**64 (60%)**

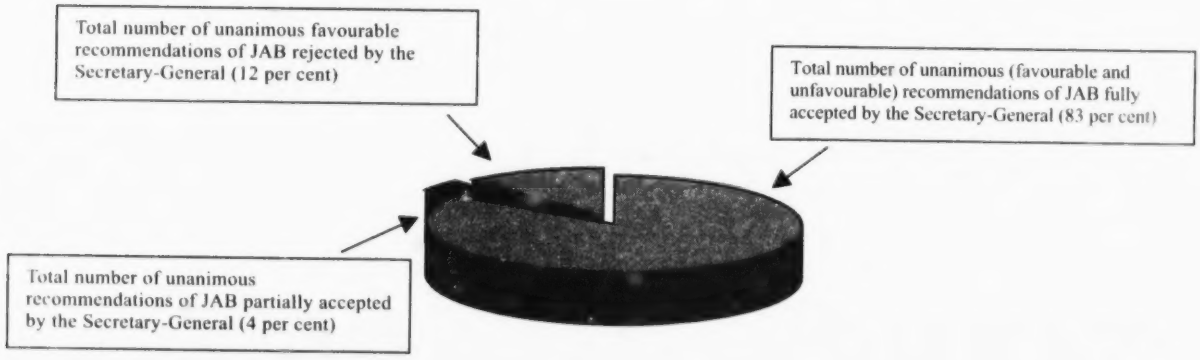
84% (full and partial acceptances)


Total number of unanimous favourable recommendations of JAB rejected by the Secretary-General (17 per cent)
Total number of unanimous (favourable and unfavourable) recommendations of JAB fully accepted by the Secretary-General (77 per cent)
Total number of JAB unanimous recommendations partially accepted by the Secretary-General (7 per cent)

2004

JAB reports from	*Total number of decisions on JAB reports*	*Total number of unanimous recommendations of JAB*	*Total number of unanimous recommendations of JAB fully accepted by the Secretary-General*	*Total number of unanimous recommendations of JAB partially accepted by the Secretary-General*	*Total number of unanimous favourable recommendations of JAB rejected by the Secretary-General*	*Total number of unanimous unfavourable recommendations of JAB*
New York	60	59	48 (81%)	3 (5%)	7 (12%)	37 (63%)
Geneva	15	15	14 (93%)	0	1 (7%)	11 (73%)
Vienna	5	5	4 (80%)	0	1 (20%)	3 (60%)
Nairobi	5	5	4 (80%)	0	1 (20%)	2 (40%)
Total	**85**	**84**	**70 (83%)**	**3 (4%)**	**10 (12%)**	**53 (63%)**

87% (full and partial acceptances)


Total number of unanimous favourable recommendations of JAB rejected by the Secretary-General (12 per cent)
Total number of unanimous (favourable and unfavourable) recommendations of JAB fully accepted by the Secretary-General (83 per cent)
Total number of unanimous recommendations of JAB partially accepted by the Secretary-General (4 per cent)

9. As can be seen from the figures for 2003 and 2004 presented in table 3 above, the percentage of full and partial acceptances by the Secretary-General of the unanimous recommendations of the Joint Appeals Board showed a slight increase in 2004 (84 per cent in 2003 and 87 per cent in 2004; columns 3 and 4). As for the percentage of rejections by the Secretary-General of unanimous recommendations of the Joint Appeals Board that were favourable to the appellants (column 5), it was relatively low in both periods (17 per cent in 2003 and 12 per cent in 2004).

10. This pattern is in line with the stated policy of the Secretary-General, which is normally to accept unanimous recommendations unless there is a compelling reason

of law or policy not to do so. In all such instances, the decisions of the Secretary-General provide detailed reasons for such rejection, which in most cases is attributable to the incorrect application of law or policy by the Joint Appeals Board or inadequate fact-finding that is not supported by the available evidence. With the increased training for the members of the Joint Appeals Board/Joint Disciplinary Committee in the applicable law and policies of the Organization and the availability of the Web-based repository of the recent jurisprudence of the Administrative Tribunal (encompassing jurisprudence on judgements rendered from 1980 onwards), the Secretary-General trusts that unanimous recommendations will be more reliably supported by the evidence, as well as reflective of the applicable law, and that, consequently, the percentage of acceptable recommendations will rise. The Secretary-General will, however, still have the discretionary authority to reject unanimous recommendations of the Board, should he find that it is in the interest of the Organization to do so.

III. Statistics on the disposition of cases and work of the Panel of Counsel

11. During 2004, current or former staff members requested the assistance of the Panel of Counsel in 224 new cases. As is depicted in table 4 below, most of those cases concerned promotion (14 per cent); non-renewal and/or termination of contracts (23 per cent); and disciplinary matters (17 per cent), the latter being highly labour-intensive.

Table 4

Subject matter and number of cases dealt with by the Panel of Counsel during 2004

13. As can be seen in table 6 below, of the 224 new cases in 2004, 121 (or 54 per cent) were dealt with informally and 103 (or 46 per cent) went through the formal appeals process.

Table 6
Informal resolution versus formal appeals: new cases in 2004

Total number of cases: 224

14. Owing to the sheer volume of staff requesting assistance from the Panel of Counsel and the limited resources available to it at present, the quality of representation and advice offered to staff necessarily suffers, and this is particularly true for staff in field locations. In addition, opportunities for conciliation and settlement may not be pursued to the fullest extent owing to severe time and resource limitations. It is expected that with the addition of a P-4 legal officer post, proposed under the support account, a higher number of cases will be settled informally.